

**Charge 1: Review including special provisions for facilities to care for bariatric patients.**

Amend **Section 11. Additional requirements for applications included in comparative review** by adding the following:

(3)(L) A QUALIFYING PROJECT WILL BE AWARDED THREE (3) POINTS IF THE PROPOSED PROJECT INCLUDES BARIATRIC ROOMS AS FOLLOWS: PROJECT USING 0 – 49 BEDS WILL RESULT IN AT LEAST ONE (1) BARIATRIC ROOM OR PROJECT USING 50 OR MORE BEDS WILL RESULT IN AT LEAST TWO (2) BARIATRIC ROOMS. BARIATRIC ROOM MEANS THE CREATION OF PATIENT ROOM(S) INCLUDED AS PART OF THE CON PROJECT, AND IDENTIFIED ON THE ARCHITECTURAL SCHEMATICS FLOOR PLANS, THAT ARE DESIGNED TO ACCOMMODATE THE NEEDS OF BARIATRIC PATIENTS WEIGHING OVER 350 POUNDS. THE BARIATRIC PATIENT ROOMS SHALL HAVE A LARGER ENTRANCE WIDTH FOR THE ROOM AND BATHROOM TO ACCOMMODATE OVER-SIZED EQUIPMENT, AND SHALL INCLUDE A MINIMUM OF A BARIATRIC BED, BARIATRIC TOILET, BARIATRIC WHEELCHAIR, AND A DEVICE TO ASSIST RESIDENT MOVEMENT (SUCH AS A PORTABLE OR BUILT IN LIFT). IF AN IN-ROOM SHOWER IS NOT INCLUDED IN THE BARIATRIC PATIENT ROOM, THE MAIN/CENTRAL SHOWER ROOM THAT IS LOCATED ON THE SAME FLOOR AS THE BARIATRIC PATIENT ROOM(S) SHALL INCLUDE AT LEAST ONE (1) SHOWER STALL THAT HAS AN OPENING WIDTH AND DEPTH THAT IS LARGER THAN MINIMUM MI CODE REQUIREMENTS.

# **Psychiatric Bed Workgroup**

## **Emergency CONs – COVID-19**

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**December 2, 2021**

# Emergency CON in Part 222

## MCL 333.22235

*Waiver of law and procedural requirements and criteria for review; affidavit; emergency certificate of need.*

➤ *Sec. 22235. (1) The department may waive otherwise applicable provisions of this part and procedural requirements and criteria for review upon a showing by the applicant, by affidavit, of all of the following:*

- *(a) The necessity for immediate or temporary relief due to natural disaster, fire, unforeseen safety consideration, or other emergency circumstances.*
- *(b) The serious adverse effect of delay on the applicant and the community that would be occasioned by compliance with the otherwise applicable requirements of this part and rules promulgated under this part.*
- *(c) The lack of substantial change in facilities or services that existed before the emergency circumstances established under subdivision (a).*
- *(d) The temporary nature of the construction of facilities or the services that will not preclude different disposition of longer-term determinations in a subsequent application for a certificate of need not made under this section.*

# Emergency CON Application

- Application is submitted online through DCH CON e-Serve in MILogin
- Supporting documents
  - ✓ Signed affidavit must be submitted to be deemed received by the Department
  - ✓ Vendor quotes, lease/purchase agreements, site/floor plans, etc., as needed
  - ✓ All documents are sent by email to [MDHHS-CONProjects@michigan.gov](mailto:MDHHS-CONProjects@michigan.gov)
  - ✓ No application fee needed


# ECON Applications during COVID-19 & beyond

- Between March 17, 2020 and November 5, 2021, the Department approved 127 ECON applications [1 was withdrawn]
- 94 applications for additional hospital beds; 5,111 total hospital beds approved
- 13 applications for additional nursing home beds; 332 total nursing home beds approved
- 8 applications for additional psych beds; 103 total adult psych beds approved, including 32 flex beds
- 8 applications for additional swing beds at hospitals; 117 total swing beds approved

# Emergency CONs – Psych Beds

CON No	City	Facility Name	Project Description	ECON Recd Date	License Issued	CON Status
200154	Grand Rapids	Pine Rest Christian Mental Health Services	Emergency Addition-40 Adult Psych Beds	03/31/2020	Apr 2020	Active
200207	New Baltimore	Harbor Oaks Hospital	Emergency Addition-7 Adult Psych Beds	04/17/2020	Apr 2020	Exp May 2021; applicant req.
200248	St. Johns	CEDAR CREEK HOSPITAL	Emergency Addition-14 Adult Psych Beds	06/25/2020	N/A	Exp Oct 2020; applicant req.
200278	St. Johns	CEDAR CREEK HOSPITAL	EMERGENCY ADD-12 PSYCH FLEX BEDS [USE EXISTING]	07/31/2020	N/A	Exp Oct 2020; applicant req.
200337	Grand Rapids	PINE REST CHRISTIAN MENTAL HEALTH SERVICES	EMERGENCY ADDN-60 PERMANENT ADULT PSYCH	09/28/2020	N/A	Withdrawn before decision
200381	Grand Rapids	Forest View Psychiatric Hospital	Emergency Add-10 Psych Flex Beds [Use existing]	11/23/2020	Dec 2020	Active
200398	Grand Rapids	Saint Mary's Health Care	Emergency Addition-10 Adult Psych Beds	12/3/2020	Dec 2020	Exp Aug 2021; applicant req.
210146	Grand Rapids	Forest View Psychiatric Hospital	Emergency Add-10 Psych Flex Beds [Use existing]	5/12/2021	May 2021	Active
210293	Grand Rapids	Pine Rest Christian Mental Health Services	Emergency Addn-40 Temp Adult Psych Beds+Flex [HSA-4]	9/20/2021	Applicnar req permanent beds but CON approved temp beds in existing space	





# Emergency CONs – Psych Beds Survey Data (CY2020)

- Pine Rest Christian Mental Health Services reported 5 discharges and 22 patient days of care in the ECON beds
  - Total COVID related discharges were 26 and patient days of care 199
- Harbor Oaks Hospital reported 42 discharges and 242 patient days of care in the ECON beds
  - Total COVID related discharges were 42 and patient days of care 301

# Emergency CONs – Lessons Learned

- Difficulty securing affidavit [signed and notarized]
- Request for licensed beds but overlapping physical space or difficulty securing license
- Request for permanent services, new construction, etc., which does not meet the criteria under MCL 333.22235
- The Department has not expired any ECON, only when requested by the provider
- Many of the ECON recipients stopped utilizing ECON beds intermittently, but started utilization of ECON beds due to the current Michigan COVID surge



# Questions?

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